

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 YING C. LIN,

10 Plaintiff,

11 v.

12 STATE FARM MUTUAL AUTOMOBILE
13 INSURANCE CO.,

14 Defendant.

15 CASE NO. C21-0476-RSM

16 ORDER GRANTING PLAINTIFF'S
17 MOTION FOR LEAVE TO FILE
18 AMENDED COMPLAINT

19 I. INTRODUCTION

20 This matter comes before the Court on Plaintiff Ying C. Lin's Motion for Leave to File
21 Amended Complaint. Dkt. #9. Defendant State Farm Mutual Automobile Insurance Co. ("State
22 Farm") has not filed a response. For the reasons set forth below, Plaintiff's Motion is
23 GRANTED.

24 II. BACKGROUND

25 Plaintiff filed this action on March 1, 2021 in King County Superior Court for payment
26 related to her underinsured motor vehicle bodily injury insurance coverage benefits ("UIM")

27 ORDER GRANTING PLAINTIFF'S MOTION
28 FOR LEAVE TO FILE AMENDED COMPLAINT
29 PAGE - 1

1 pursuant to a policy issued by State Farm. State Farm thereafter removed the action to this Court.
2 Dkt. #1. On April 15, 2021, State Farm filed an answer, including a counterclaim for recovery
3 of its PIP payments. Dkt. #7. On April 30, 2021, Plaintiff filed the instant motion seeking leave
4 to file an amended complaint, which is attached to her motion. *See* Dkt. #9 at 5-8. The Amended
5 Complaint seeks to add claims for damages for violations of the Washington Insurance Fair
6 Conduct Act, RCW 48.30, the Washington Consumer Protection Act, RCW 19.86, and damages
7 for insurance bad faith. *Id.*

III. DISCUSSION

Pursuant to Fed. R. Civ. P. 15(a)(1), a party may amend its pleading once as a matter of course within “21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.” Here, State Farm served its Answer on April 15, 2021. Dkt. #7. Given that Plaintiff moved for leave to amend on April 30, Plaintiff may amend her pleading once as a matter of course pursuant to Rule 15(a)(1).

IV. CONCLUSION

Having reviewed the relevant briefing and the remainder of the record, the Court hereby finds and ORDERS that Plaintiff's Motion for Leave to File an Amended Complaint, Dkt. #9, is GRANTED. Plaintiff is directed to file the Amended Complaint within 21 days from the date of this Order.

DATED this 28th day of June, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

**ORDER GRANTING PLAINTIFF'S MOTION
FOR LEAVE TO FILE AMENDED COMPLAINT
PAGE - 2**